

## United States Department of the Interior



FISH AND WILDLIFE SERVICE Maine Ecological Services Field Office 1033 South Main Street Old Town, ME 04468-2023 (207) 827-5938

To: Marcia Bowen

Normandeau Associates, Inc.

251 Main Street

Yarmouth, ME 04096

January 26, 2001

Thank you for your letter requesting information or recommendations from the U.S. Fish and Wildlife Service. This form provides the Service's response pursuant to Section 7 of the Endangered Species Act (ESA), as amended (16 U.S.C. 1531-1543), and the Fish and Wildlife Coordination Act, as amended (16 U.S.C. 661-667d).

Re: Gray Transportation Study, MDOT PIN #88771.00 / Gray / Cumberland Project Name/Location/County

January 16, 2001

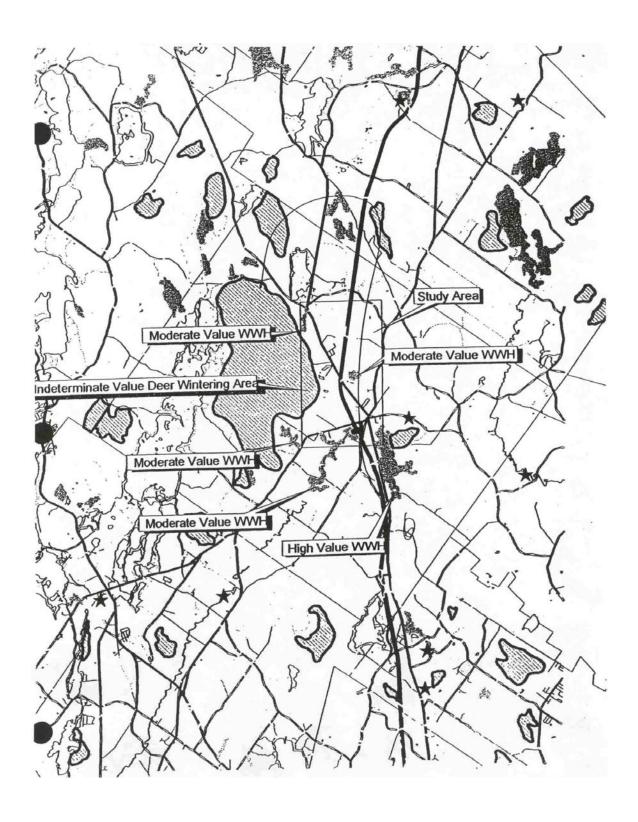
01-0073 Log Number

Date of Receipt of Incoming Letter

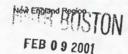
Based on the information currently available to us, no federally-listed species under the jurisdiction of the Service are known to occur in the project area, with the exception of occasional, transient bald eagles (Haliaeetus leucocephalus). Accordingly, no further action is required under Section 7 of the ESA, unless: (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner not previously considered; (2) this action is subsequently modified in a manner that was not considered in this review; or (3) a new species is listed or critical habitat determined that may be affected by the identified action.

A list of federally-listed species in Maine is enclosed for your information. Please contact the Maine Department of Inland Fisheries and Wildlife and Maine Natural Areas Program for an up to date account of state-listed species in the project area.

If you have any questions, please call Kim Tripp at (207) 827-5938.







12 New England Executive Park Burlington, MA 01803-5299

February 6, 2001

Mr. Joseph G. Grilli, P.E. HNTB 50 Milk Street Boston, MA 02109

Dear Mr. Grilli:

I have reviewed the information you sent regarding the Environmental Assessment the Maine Turnpike Authority is conducting for a project in Gray, Maine. We neither have any information pertinent to any potential projects in that area nor do we have any special concerns. Therefore you don't need to put us on the distribution list.

Sincerely,

Vincent A. Scarano

Airports Division Manager



Commander First Coast Guard District One South Street Battery Park Building New York, NY 10004-5073 Staff Symbot: obr Phone: (212) 668-7165 FAX: (212) 668-7967

HNTB BOSTON JAN 2 6 2001

16590 January 23, 2001

RECEIVED

Mr. Joseph G. Grilli, P.E. Project Engineer HNTB 50 Milk Street Boston, MA 02109

> Re: Gray Transportation Improvement Study and Environmental Assessment (EA)

Dear Mr. Grilli:

This is in response to your letter dated 15 January 2001, regarding the referenced project. Our examination indicates that a bridge permit will not be required.

We have no information readily available to indicate any areas of special concern. Sorry, that we are unable to be of more assistance.

Mari

Bridge Administrator First Coast Guard District

By direction of the District Commander



### Natural Resources Conservation Service 381 Main St., Suite #3 • Gorham, ME 04038 Phone: (207) 839-7839 • Fax (207) 839-7838

April 18, 2001

Jennifer West Normandeau Associates Inc. 251 Main Street Yarmouth, ME 04096

RE: Gray Westerly Bypass Farmland Assessment

Dear Jennifer;

I have taken the opportunity to complete a technical review of the Maine Department of Transportation-Gray Transportation Improvement Study Soils Map and Farmland Inventory evaluation that you recently sent to me. My findings after careful review of the map provided and latest NRCS technical cropland interpretation soils map units, Cumberland County official listings for Prime Farmland, Farmland of Statewide Importance and Locally Important Farmland, my findings are as follows:

Soil map units Farmland: Prime: Statewide Important: Locally Important:

EmB BuB WmB
MkB Sz (somewhat poorly drained area only)

Prime Farmland Soil Map Units with footnotes 2 only drained, and 4 only irrigated, such as BuB, H1B and WmB would require confirmed documentation of the condition in order to designate the map unit as Prime Farmland. The Statewide Important Farmland listing has been updated to include BuB Buxton 3-8% undrained, and Sz, Swanton, somewhat poorly drained phase only. BuC2 eroded phase is not listed due to the eroded aspect of this map unit.

Regarding you findings of zoning research for the study area I generally concur. I am interested in more of the details concerning the Aquifer Protection Zone VAP that is committed to more development. I would think that an Aquifer Protection Zone would want to be committed to less development to protect the Aquifer. I am not doubting your research, just curious about the context of the VAP Zone.

Please contact me at 839-7839 ext. 101 or  $\underline{\text{wavne.munroe}}$   $\underline{\hat{a}}$  me. usda.  $\underline{\text{gov}}$ , if additional clarification is necessary. Thanks.

Sincerely,

Warne Phunoe

Wayne P. Munroe



# STATE OF MAINE ATLANTIC SALMON COMMISSION

Headquarters 650 State Street Bangor, Maine 04412-5654 Telephone: 207-941-4449 FAX: 207-941-4443

www.state.me.us/asa norm.dube@state.me.us



Frederick W. Kircheis Executive Director

February 6, 2001

Ms. Marcia Bowen Senior Aquatic Biologist Normandeau Associates, Inc. 251 Main Street Yarmouth, ME 04096

RE: Gray Transportation Improvement Study and EA MDOT PIN # 8871.00/STP-8871(00) NAI Project # 18638

Dear Ms. Bowen:

The Atlantic Salmon Commission has no concerns with the above referenced project and will defer to the Department of Inland Fisheries and Wildlife and the Department of Marine Resources for appropriate comments relative to fisheries issues.

Should you have any questions concerning our position on this project, please contact me at your convenience.

Sincerely,

Norman R. Dubé Fisheries Scientist and

Fisheries Scientist and Environmental Coordinator

Mum R. Dole



# MAINE DEPARTMENT OF INLAND FISHERIES & WILDLIFE

ADDRESS: 358 Shaker Road Gray, Maine 04039

PHONE: (207) 657-2345 ext. 113

FAX: (207) 657-2980

EMAIL: john.boland@state.me.us

January 30, 2001

Marcia Bowen Normandeau Associates Inc. 251 Main Street Yarmouth, Maine 04096

RE: Gray Transportation Improvement Study

#### Dear Marcia:

I have reviewed our files relative to the site in question and am not aware of any rare, threatened or endangered fish species inhabiting the area. You should be aware, however, that the headwater streams to Collyer Brook, one of the better trout streams in the area, are located within the confines of your site map. Cole Brook, Libby Brook and Hatchery Brook all support good populations of wild self-sustaining brook trout. These waters are all spring fed and maintain their cool water temperatures throughout the summer months. Maintaining these cool water temperatures is vital to the survival of these trout fisheries.

Mill Brook drains the mill pond in Dry Mills and sometimes Crystal Lake. Water levels in the upper stretches of Mill Brook are highly variable and most likely warmer during the summer months. I'm not sure if this brook begins to pick up any groundwater further downstream. A summertime field visit would be necessary to ascertain this.

Any development proposed within the drainage of these waters should include measures to minimize any impacts to these brooks. Typically we require a minimum of a 100 foot undisturbed buffer along these type streams. This insures that temperatures should not be negatively impacted and that water quality will be reasonably protected.

Please give me a call if you have any questions.

John Boland

Regional Fishery Biologist

Ato believe



ANGUS S. KING. JR.

STATE OF MAINE EXECUTIVE DEPARTMENT STATE PLANNING OFFICE 38 STATE HOUSE STATION AUGUSTA, MAINE 04333-0038

EVAN D. RICHERT, AICP

# HNTB BOSTON

JAN 3 1 2001

Friday, January 26, 2001

Mr. Joseph G. Grilli **HNTB** 50 Milk Street Boston, MA 02109

RECEIVED

Dear Mr. Grilli:

PHONE: (207) 287-3261

This is an answer to your inquiry of January 16th concerning the demographic characteristics pertinent to environmental justice in the study area for the Gray, Maine transportation improvement study and environmental assessment.

Because the study area comprises only a portion of the town of Gray and because. demographic information for areas smaller than towns is only available from the decennial censuses, the most recent data for the study area is from the 1990 U.S. Census. Information about race and Hispanic background from the 2000 census will be available the first of April 2001. Information about the numbers of home owners and renters in 2000 will be available in the fall of 2001. Information about limiting physical conditions, poverty and the age of the housing stock in 2000 will be available in the fall of 2002.

Block groups three and five in tract forty-seven of the 1990 census for Cumberland County approximate the study area. I have outlined these block groups in red and numbered them on the enclosed map. Note that, although block group five extends well to the east of the study area, most buildings in block group five are inside the study area.

I am enclosing a sheet with several tables displaying the demographic characteristics of the study area in 1990.



OFFICES LOCATED AT: 184 STATE STREET Internet: www.state.me.us/spo

FAX: (207) 287-6489

I'm also enclosing two pages I copied from Gray's 1991 draft comprehensive plan outlining the history of development in the village center and Dry Mills. Together, these account for most of the study area.

I hope this information meets your needs.

Very truly Yours,

Richard A. Sherwood

il 4. Kl

Policy Development Specialist

cc: Michael Davies, Maine Department of Transportation encl: 3



ANGUS S. KING, JR.

STATE OF MAINE
DEPARTMENT OF LABOR
20 UNION STREET, P.O. BOX 259
AUGUSTA, MAINE
04332-0259

HNTB BUSTUN

VALERIE R. LANDRY COMMISSIONER

January 24, 2001

RECEIVED

Mr. Joseph G. Grilli, P.E. Project Manager HNTB 50 Milk Street Boston, MA 02109

Dear Mr. Grilli:

Attached is a spreadsheet showing employment in the Towns of Gray and New Gloucester, Maine as of June 2000, the most recent available month. This data is broken out by major industry. Government includes the school department and Post Office as well as any other government offices.

I hope this meets your needs. The Division of Labor Market Information Services prepared this data and they may be reach at (207) 287-2271 if you have any further questions.

Sincerely,

Valerie R. Landry Commissioner

Vacuie dardy.

**VRL/raf** 

Attachment

cc: LMIS

(3)

PHONE: (207) 287-3788

TTY (HEARING IMPAIRED) 1-800-794-1110 E-Mail: Valerie.R.Landry@state.me.us FAX: (207) 287-5292



# STATE OF MAINE DEPARTMENT OF CONSERVATION 159 HOSPITAL STREET 93 STATE HOUSE STATION AUGUSTA, MAINE 04333-0093

ANGUS S. KING, JR.

PONALO B. LO DE GLIO SOLDERONIA

January 19, 2001

Marcia Bowen Normandeau Associates, Inc. 251 Main Street Yarmouth, ME 04096

Re: Rare and exemplary botanical features, Gray transportation improvement study area

Dear Ms. Bowen:

I have searched the Natural Areas Program's Biological and Conservation Data System files in response to your request of January 16, 2001 for information on the presence of rare or unique botanical features documented from the vicinity of the project site in the town of Gray, Maine. Rare and unique botanical features include the habitat of rare, threatened, or endangered plant species and unique or exemplary natural communities. Our review involves examining maps, manual and computerized records, other sources of information such as scientific articles or published references, and the personal knowledge of staff or cooperating experts.

Our official response covers only botanical features. For authoritative information and official response for zoological features you must make a similar request to the Maine Department of Inland Fisheries and Wildlife, 284 State Street, Augusta, Maine 04333.

According to the information currently in our Biological and Conservation Data System files, there are no rare botanical features documented specifically within the project area. This lack of data may indicate minimal survey efforts rather than confirm the absence of rare botanical features. You may want to have the site inventoried by a qualified field biologist to ensure that no undocumented rare features are inadvertently harmed.

This finding is available and appropriate for preparation and review of environmental assessments, but it is not a substitute for on-site surveys. Comprehensive field surveys do not exist for all natural areas in Maine, and in the absence of a specific field investigation, the Maine Natural Areas Program cannot provide a definitive statement on the presence or absence of unusual natural features at this site.



The Natural Areas Program is continuously working to achieve a more comprehensive database of exemplary natural features in Maine. We would appreciate the contribution of any information obtained should you decide to do field work. The Natural Areas Program welcomes coordination with individuals or organizations proposing environmental alteration, or conducting environmental assessments. If, however, data provided by the Natural Areas Program are to be published in any form, the Program should be informed at the outset and credited as the source.

Thank you for using the Natural Areas Program in the environmental review process. Please do not hesitate to contact me if you have further questions about the Natural Areas Program or about rare or unique botanical features on this site.

Sincerely,

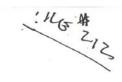
Emily C. Pinkham

Information Specialist

Emily C. Pinkham







ANGUS S. KING, JA GOVERNOR HNTB BOSTON-

February 1, 2001

FEB 0 5 2001

Joseph G. Grilli, P.E. Project Manager HNTB 50 Milk Street Boston, MA 02109

RECEIVED

Dear Mr. Grilli:

I have reviewed our Land and Water Conservation Fund project files to determine if there are any federally-assisted outdoor recreation projects located in the area relating to the Transportation Improvement Study and Environmental Assessment in Gray, Maine.

There is one LWCF project in the study area as represented on the map you forwarded to me. That project, for development of tennis courts, is located on the grounds of the Gray-New Gloucester High School

That project site, as I am sure you are aware, is protected from conversion of use by the provisions of the Land and Water Conservation Fund Act of 1965. However, I would assume there isn't much danger to this project site unless your study contemplates going through the High School grounds.

I hope this information is of use to you in your planning. If you need anything further, please feel free to contact me.

Sincerely yours,

Mike Gallagher, Manager Grants & Community Recreation

Bureau of Parks and Lands Thomas A. Morrison, Director



PHONE: (207) 287-3821 FAX: (207) 287-3823 TTY: (207) 287-2213



# STATE OF MAINE EXECUTIVE DEPARTMENT STATE PLANNING OFFICE 38 STATE HOUSE STATION AUGUSTA, MAINE 04333-0038

EVALO RICHERT, AICP

January 19, 2001

Marcia Bowen Senior Aquatic Ecologist Normandeau Associates, Inc. 251 Main Street Yarmouth, Maine 04096

Re: Gray Transportation Improvement Study and EA MDOT PIN # 8871.00/STP-8871(00) NAI Project #18638

Dear Ms. Bowen:

I am in receipt of your letter of January 16, 2001 requesting information on any natural resources we may have regarding the above referenced project.

I am enclosing photocopies of the relevant portions of the Flood Insurance Rate Maps and Flood Boundary and Floodway Maps for The Town of Gray as well as the floodway data tables from the Gray Flood Insurance Study.

If federal funds are involve in this project, Federal Executive Order 11988 (floodplains) will apply. If you have any questions please contact me at your earliest convenience. I can be reached at (207) 287-8063 or e-mail at <a href="lou.sidell@state.me.us">lou.sidell@state.me.us</a>.

Sincerely,

W. Louis Sidell, Jr., CFM

State Floodplain Management Coordinator

Enclosures



# Maine Historic Preservation Commission 55 Capitol Street 65 State House Station AUGUSTA, Maine 04333

EARLE G. SHETTLEWORTH, JR.

January 29, 2001

To: Mr. Scott Rollins, Department of Transportation/OES

From: Dr. Arthur Spiess, Archaeologist

Subject: PIN 8871.00, Gray bypass

Enclosed are three copies of our Gray Bypass Phase 0 archaeological study report. Once again, the Phase 0 study concept and budget successfully resulted in a Phase I study as well. In this case, we are confident that there are no archaeological properties present, and no further work is necessary.

A budget summary will be forthcoming soon.





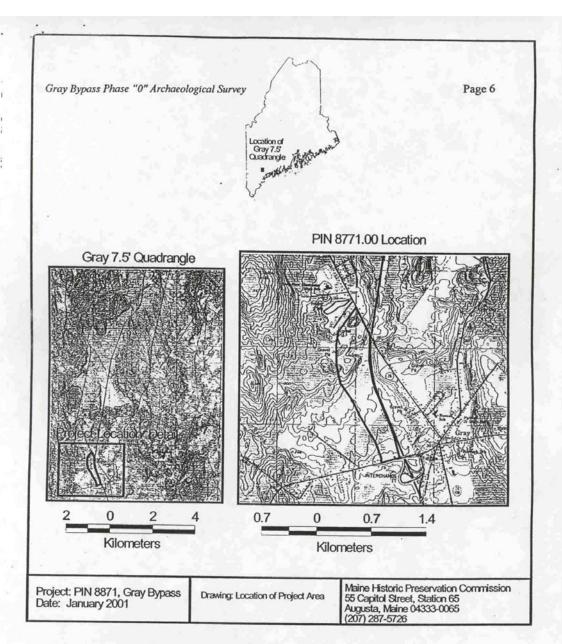


Figure 1. Location of the Gray Bypass Project in Gray, Cumberland County, Maine (U.S.G.S. 7.5' Gray Quadrangle).

#### STATE OF MAINE

#### **MEMORANDUM**

October 4, 2001

To: Dave Gardner, ENV/Maine Department of Transportation

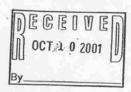
From: Earle G. Shettleworth, Jr., State Historic Preservation Officer

Subject: PIN 8871.00 - Gray By-Pass (Phase 8)- Westerly Bypass Conceptual Design (7/97),
Gray MHPC#0233

Thank you for your recent correspondence to continue consultation with our office on the above referenced project. Per your request, we are reviewing this project pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended.

Based upon the proposed scope of work for this project and the project location, no additional identification efforts are warranted at this time as there is adequate documentation for a finding on historic properties. Our office feels that the subject property and area of potential effects does not contain resources eligible for listing in the National Register of Historic Places. Therefore, I find no historic properties [historic, architectural or archaeological] affected by this project.

Please contact Dana R. Vaillancourt of my staff if you have further comments or concerns.



### HNTB BOSTON

FEB 2 1 2002

February 19, 2002



**Gray Water District** 

RECEIVED

P.O. BOX 196 80 SHAKER RD. GRAY, ME 04039-0196 (207) 657-3500

Mr. Joseph G. Grilli HNTB Architects Engineers Planners 50 Milk St Boston, MA 02105

Dear Mr. Grilli:

Re: MDOT Gray Bypass Study

Since there has been little change, this letter is to reaffirm the position of the Gray Water District trustees' as stated in a letter addressed to Mr. Welzel dated October 30, 1997. A copy of that letter has been enclosed for your reference.

The Trustees will meet on Monday, February 25. This matter will be addressed to find out if there are any additional comments. I also look forward to the public meeting that was planned for the summer of 2001.

Could you please provide us with a copy of your minutes of your recent meeting with MDOT and other departments for our records.

Sincerely yours,

James W. Foster

JWF/kdr Enc.

Cc: Mitch Berkowitz, Gray Town Manager GWD Trustees

### **Gray Water District**



P:O. BOX 196 80 SHAKER RD. GRAY, ME 04039-0196 (207) 657-3500

October 30, 1997

Conrad Welzel Maine Turnpike Authority 430 Riverside Street Portland, ME 04103

Dear Mr. Welzel:

We, the Board of Trustees of the Gray Water District, would like to take this opportunity to thank you for explaining the options for the Gray/ New Gloucester Access Study on October 7, 1997. The presentation was informative and helped separate fact from fiction regarding this effort. After reviewing the available information we now can present a clear position on the options we feel are in the best interest of the Gray Water District.

## CONCERNS OF THE GRAY WATER DISTRICT (GWD)

Ground Water Contamination - Contamination prevention of the GWD's single water source is of
paramount importance. This source is located adjacent to the Turnpike on Route 26, an area of increasing
activity. A major threat to this irreplaceable aquifer is the bulk transportation of petroleum products and
chemicals through the recharge and wellhead protection areas and the introduction of roadway deicing
chemical (sodium contamination). The major transportation routes that are of particular concern are the
Maine Turnpike and Route 26.

The soil structure generally found within the wellhead protection area and secondary recharge zone is a varying sand and gravel matrix. This soil structure is particularly vulnerable to contamination by Dense Non-Aqueous Phase Liquids (DNAPL). In the event of a DNAPL spill, contaminate migration through the soil profile and contamination of the aquifer could result in a matter of minutes.

Once contaminated, depending on degree, the present water supply for the Town of Gray could be rendered useless for human consumption. It must be remembered that the Maximum Contaminate Level (MCL) for some DNAPL compounds, as dictated by the U.S. Environmental Protection Agency (EPA), are measured in parts per billion.

- 2. Water Exploration and Development of New Sources For the past several years the GWD has been aggressively seeking alternate water sources. This effort has stemmed from the restriction to current pumping rates imposed by the Maine Department of Human Services (DHS) from the existing source. This has created the condition of finite availability of water with increasing demand. Several areas have been identified and varying stages of exploration have been conducted. The GWD takes interest in any development in the Town of Gray with respect to future water sources.
- 3. Economic Development and Infrastructure Upgrades Recently, the GWD received a presentation from the Town of Gray, Economic Development Committee. The topic of discussion was the proposed Tax Increment Finance (TIF) District currently proposed for the area along Route 100 south to the Gray/Cumberland line. As part of the TIF, a partnership between the Town of Gray and Country Farm Furniture Inc., would extend the Gray Water Districts present line three (3) +/- miles. This will be high quality transmission mains and associated infrastructure. Once this is in place and the proposed expansion of Country Farm Furniture Inc. takes place, a high probability for further commercial/industrial expansion in this zone is likely. It makes sense that traffic access to this zone be high quality, making this community investment pay off.

Additionally, the GWD is interested in any proposal that diffuses traffic in the Town of Gray. As traffic increases, it becomes increasingly more difficult to perform maintenance and more dangerous for GWD staff. A large percentage of the GWD infrastructure is located under or adjacent to existing roadways in the Town of Gray. Worker safety is "number one concern" at the GWD and any action taken to improve safety is welcome.

### COMMENTS ON GRAY/NEW GLOUCESTER ACCESS STUDY

- The Do-Nothing Option This option is clearly unacceptable to the GWD and warrants no further discussion.
- Upgrade the Existing System Alternative This option has merit in so far as it will allow existing traffic to move in a more orderly fashion. However, it does nothing to alleviate GWD concerns as stated above. The GWD finds this option unacceptable as a long term solution.
- 3. The Route 26-3 & 26-4 Alternative After reviewing this proposal, it is the feeling of the Board of Trustees that this is the least favorable alternative presented. In our opinion this proposal will concentrate traffic in the wellhead protection area and the secondary recharge zone. Additionally, it adds hard-to-negotiate intersections uncomfortably close to the GWD wellfield, increasing the chance for mishaps and spills. In regards to safety, this proposal will concentrate traffic directly in front of the District offices and this proposal does little to enhance the burgeoning commercial zone created by the proposed TIF.

To make this proposal palatable to the GWD, monetary assistance should be made to the GWD to locate and develop a secondary source of water. However, to be fair, we would like to advise you that the GWD will protest and take whatever actions necessary to discourage the Board from selecting this alternative. It is our hope that this alternative is discounted.

4. The Dry Mills Alternative - This proposal does not present increased inherent risk to the existing GWD wellfield. However, this proposed route cuts through areas that are under investigation as a secondary source of water. It has not been determined if this area is of any value to the GWD. Prior to commencing a project of this magnitude a definitive study should be conducted to prove or disprove the existence of water to be of interest to the GWD. Further investigation for this alternative is required.

This proposal runs counter to the spirit of the TIF. The GWD supports the proposed TIF District and is committed to supporting considerable infrastructure for this project. The Dry Mills alternative will take the option away from a large percentage of traffic to visiting this area. This project will void considerable time and effort in long range planning, already conducted, by local citizens.

5. The Westerly Bypass with the Southern Connector - Albeit the most expensive alternative, this proposal makes the most sense for the GWD. This is a long-term solution to alleviate traffic in a large portion of the town, thereby improving safety concerns for GWD personnel. Additionally, this project will not disturb any potential secondary water sources. This project, as currently designed, will improve the chances of the newly formed TIF District to be successful, making the vast local investment in GWD warranted and a success.

The only detraction from this proposal is that it will still route traffic within a small section of the secondary recharge area for the current wellfield. However the benefits of this project, in the opinion of the GWD, far outweigh any detractions. The GWD endorses this proposal.

#### CONCLUSION

It is our hope that these comments are useful. The GWD will remain active in further public discussions and will share any information that we may have that will be useful to you. If you have further questions or concerns please feel free to contact Superintendent Foster at the GWD Offices during normal working

Sincerely,

Jonathan E. Ziegra President, Gray Water District

cc: Art Gingold, Barton & Gingold Steve Sawyer, TY Lin Internation Paul Bird, Gray Town Manager